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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3133 0F 2005
WITH
INCOME TAX APPEAL (LOD) NO.1316 OF 2005

The Commissioner of Income Tax ..Appellant.

V/s.

BDA Ltd. ..Respondent.

Mr.A.D. Kango for appellant.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 11TH SEPTEMBER, 2007.

P.C. :-

Delay is less than 200 days. Considering the practical difficulties which the Department was facing including referring the matters to the Law Department, Government of India for drafting the appeal memo and considering the affidavit in support of the notice of Motion, in our opinion, cause shown would amount to sufficient cause. Hence delay condoned. The Notice of Motion is allowed in terms of prayer clause (a).

Office to register the appeal.

(J.P.DEVADHAR, J.) **(F.I.REBELL0, J.)**